

1 Katherine F. Parks, Esq. - State Bar No. 6227  
2 Thorndal Armstrong Delk Balkenbush & Eisinger  
3 6590 S. McCarran Blvd., Suite B  
4 Reno, Nevada 89509  
5 (775) 786-2882  
6 [kfp@thorndal.com](mailto:kfp@thorndal.com)  
7 Attorneys for Defendants  
8 CHURCHILL COUNTY AND  
9 BENJAMIN TROTTER

10 **UNITED STATES DISTRICT COURT**  
11 **DISTRICT OF NEVADA**

12 MICHAEL ERWINE, an individual,

13 Plaintiff,

14 vs.

15 CHURCHILL COUNTY, a political subdivision  
16 of the State of Nevada; CHURCHILL COUNTY  
17 SHERIFF BENJAMIN TROTTER; and DOES 1  
18 through 10 inclusive,

19 Defendants.

CASE NO. 3:18-cv-00461-RCJ-WGC

**ORDER FOR**  
**EXTENSION OF TIME TO FILE**  
**OPPOSITION TO SECOND MOTION**  
**FOR PRESUMPTION AND ADVERSE**  
**JURY INSTRUCTION DUE TO**  
**SPOILATION OF EVIDENCE, OR IN**  
**THE ALTERNATIVE, DISMISSAL**  
**AND DEFAULT JUDGMENT**  
**[ECF. NO. 98]**

20 COMES NOW Plaintiff, MICHAEL ERWINE, and Defendants, CHURCHILL  
21 COUNTY and BENJAMIN TROTTER, by and through their undersigned attorneys of record,  
22 and hereby stipulate and agree that Defendants shall have an extension of time from February 20,  
23 2021, through February 26, 2021, in which to file an opposition to Plaintiff's Second Motion for  
24 Presumption and Adverse Jury Instruction Due to Spoliation of Evidence, or in the alternative,  
25 Dismissal and Default Judgment [ECF NO. 98].

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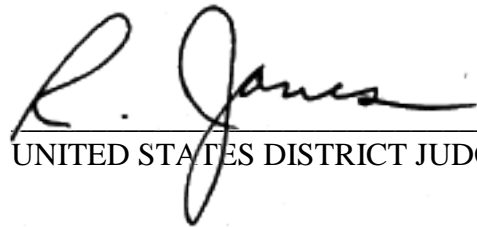
The parties hereby stipulate and agree that this request is not made for any improper purpose or for purposes of delay and that no party shall be prejudiced by same.

DATED this 17 <sup>th</sup> day of February, 2021.	DATED this 17 <sup>th</sup> day of February, 2021.
LUKE ANDREW BUSBY, LTD	THORNDAL ARMSTRONG DELK BALKENBUSH & EISINGER
By: <u>/ s / <b>Luke A. Busby</b></u> Luke A. Busby, Esq. State Bar No. 10319 316 California Ave #82 Reno, Nevada 89509 Attorney for Plaintiff Michael Erwine	By: <u>/ s / <b>Katherine F. Parks</b></u> Katherine F. Parks, Esq. State Bar No. 6227 6590 S. McCarran Blvd., Suite B Reno, Nevada 89509 Attorneys for Defendants Churchill County and Benjamin Trotter

**ORDER**

IT IS SO ORDERED.

DATED: February 19, 2021.

  
UNITED STATES DISTRICT JUDGE